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# SPEECH

ON THE

# SCHOOL QUESTION

DELIVERED BY

## ZACH MONTGOMERY,

BEFORE THE CONVENTION COMMITTEE ON EDUCATION, IN  
THE ASSEMBLY CHAMBER AT SACRAMENTO CITY,  
NOVEMBER 20, 1878.

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# SPEECH ON THE SCHOOL QUESTION

BY

ZACH. MONTGOMERY.

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GENTLEMEN OF THE COMMITTEE, MEMBERS OF THE CONVENTION  
AND FELLOW-COUNTRYMEN:

IN presenting myself before you this evening, to address you on the school question, it is but proper for me to state that I am not here as the representative of any creed, party, or class of men or women. I am here upon my individual responsibility, the volunteer advocate of the dearest rights, and the highest, and deepest, and broadest interests of every man, woman, and child in this country. I stand here to plead the cause of tens of thousands of people, who, misled by a false-tongued Press, look upon me almost in the light of a public enemy, seeking, by a division of the public school moneys on a sectarian basis, to appropriate to the Catholic Church the funds which of right belong to themselves, and ought to go toward the education of their own children. Sometimes, too, the timidity of friends does almost as much to deepen this false impression as does the open slander of enemies. My record for the last eighteen years on the school question is before the country, and I defy any man, friend or foe, to point his finger to the sentence, the word, or the syllable I have ever uttered in advocacy of dividing the school fund on a sectarian basis, or any other than a parental basis, without distinction of creeds, parties, or factions. The views I come here to express are simply my own. I have had

no pre-arrangement with any human being with reference to the matter. Nobody but myself at this moment knows what I intend to say, and consequently nobody but myself has a right to be held responsible for what I shall say. As the basis for my remarks, here are five propositions which I should like to see recognized and approved in some shape, either in the Bill of Rights, or elsewhere in the new Constitution.

I. The fathers and mothers of children, by the act of taking upon themselves the duties of the parental office, become bound to feed, clothe, and educate their own children.

II. No Government has the right to tax its citizens to pay for the food, the clothing, or the education of children whose parents have the ability themselves to feed, clothe, and educate them.

III. To aid in supplying with necessary food, clothing, and education, the children of parents who cannot themselves sufficiently supply these necessities, is a public duty.

IV. It is the inalienable right and duty of parents to select for the education of their own children, schools wherein they conscientiously believe that neither the teachers, the books, nor the associations are such as to endanger the morals of their children.

V. The true principle of religious liberty forbids the Government to discriminate for or against any of its citizens on account of their religious belief; and it would be a gross violation of this principle—other things being equal—for the Government to withhold from any of its indigent children, necessary food, clothing, or education, upon the sole ground that the parents or guardians of such children, in obedience to the dictates of their own consciences, choose to place such children in the hands of religious persons, and under religious training and influences, rather than in the hands of non-religious persons, and under non-religious training and influences.

In the discussion of this educational question,—just as in discussing any other question—it will be necessary, in order to understand each other, and fairly to compare views, remove differences, and arrive at common conclusions, to see, in the first place, how far we can agree in our premises. Now I presume we shall all agree in this proposition, namely: That as a rule—all things else being equal—just in proportion as you extend the area of a proper education among the people, in the same proportion will you diminish crime with all of its frightful train of resultant evils, such as

pauperism, insanity, suicides, and the oppressive burdens of taxation. But *do you diminish crime*, pauperism, insanity, suicides, and the oppressive burdens of taxation, in proportion as you extend the area of what is known as the New England Public School education? Let us deliberately examine this question, and if, after a calm, careful, and unbiased consideration of all the facts and figures bearing on this subject, you can put your hands upon your hearts and say, yes, then for God's sake I beseech you to so hedge in and guard this system of education by constitutional barriers, that neither religious sects nor political parties—neither judges, nor legislators, nor governors, can ever lay violent hands upon it.

But, on the other hand, should you find that instead of diminishing crime, pauperism, insanity, suicides, and the oppressive burdens of taxation, its tendency is exactly in the opposite direction; if you find that the more money you invest in this particular kind of education, the more you have to pay for arresting and trying criminals, building jails and penitentiaries, feeding and clothing paupers and insane persons; if you find that instead of a shield for your protection it is a sword for your destruction, then I would say, let that sword, if possible, be moulded into such shield, but if not possible, then let it be broken into flinders. Now, startling as may seem the proposition, I propose to demonstrate by incontestible facts and figures that every dollar paid out for the support of this system of education tends directly not to diminish but to increase crime, with all its endless train of attendant evils. But let facts speak for themselves.

In order to thoroughly test the merits of this educational system, let us go back to its fountain-head, to the old commonwealth where it was first planted, where it has been the most industriously cultivated, where money has been the most lavishly expended for its support, and where the largest portion of the people have been brought under its influence; to that commonwealth to which the enthusiastic friends and admirers of this system are forever pointing with pride and exultation, as the grandest field of its achievements. I mean the Commonwealth of Massachusetts. In the year 1647, now 231 years ago, the Colony of Massachusetts enacted a law making it obligatory upon all the children of the Colony to be educated, in part at least, at public expense. Thus early did she plant deep and firm in her virgin soil this boasted system. At the same time, Virginia, just then starting on her career of colonial



existence, with apparently less solicitude for the general diffusion of book learning than for the preservation of individual rights, the perpetuity of parental authority, and the maintenance intact of the family government, was content to leave the right and duty of educating children in the hands of their parents, where the God of Nature, in His infinite wisdom and goodness, has seen proper to place them. It is true that she, from time to time, appropriated small sums of money to aid in the education of the poor; but while doing this, she did not attempt in exchange for her money, to rob parents of their God-given right to select, each for his own children, the school wherein they were to be educated. In other words, she adopted the parental instead of the State system of education.

In almost every other essential particular, the Colony of Massachusetts and that of Virginia started on their respective careers of existence under auspices entirely similar. Both were new colonies, the one planted in 1607, and the other in 1620. Both were pioneers of civilization in the then savage wilds of America. Both were composed of English settlers—brave, industrious, intelligent, enterprising people; people speaking the same language, accustomed to the same laws, manners, and usages; reading the same Bible and professing the Protestant religion.

For more than 200 years, down to the time of our late terrible and bloody civil war, each of these two commonwealths respectively retained, in substance at least, its original plan of dealing with this educational question; the one acting upon the theory that it was primarily the business of the State, and the other on the theory that it was primarily the duty of the parents to educate children.

Since the war, however, the Massachusetts educational system has, I believe, for good or for evil, with some modifications, diffused itself over every inch of United States soil. So that in order to fairly estimate the comparative results of the two systems, we shall let Massachusetts and Virginia compare accounts as they stood in 1860, immediately preceding the late war. And in order to be entirely fair, we shall, in making our estimates, exclude both negroes and foreigners, and deal exclusively with native-born whites. I shall quote from the official reports of the United States Census Marshal for 1860, under the head of mortality and miscellaneous statistics, pages 508-512.

In an educational point of view, so far as the matter of reading and writing were concerned, it must be admitted that Massa-

chusetts with her State system made a most brilliant and triumphant showing, compared with that of Virginia's parental system. At the date referred to, out of a native white population of 970,952, Massachusetts had but 2,004, that is to say, one to every 484 native white adults who could neither read nor write, while Virginia, with a native white population of 1,070,395, had 83,300, or one to every twelve who could neither read nor write; being a difference of forty illiterates to one in proportion to population as against Virginia. So that if the people of Massachusetts were properly educated, we might reasonably have expected to find in Virginia, in proportion to population, forty times as many criminals as in Massachusetts. But, instead of that, there were at the date referred to in Massachusetts 1,495 native white criminals in prison, being one to every 649 native white inhabitants; while Virginia had but 163 native white prisoners, or one to every 6,566. That is to say, in proportion to her native white population, Massachusetts had, as the fruit of her State system, more than ten times as many criminals as had Virginia with her parental system of education.

At the same date Massachusetts had 5,206 native white paupers, being one to 186 of her native white inhabitants, while Virginia had but 4,300, being only one to every 247 of her native white inhabitants, making nearly double as many native white paupers in Massachusetts, in proportion to her population, as there were in Virginia. Of suicides, Massachusetts had 110, or one to every 11,191 of all classes, while Virginia had but 30, being one to every 53,210. In the matter of suicides, there was no *separate* estimate of the natives either for Virginia or Massachusetts; of the insane I have found no report for 1860, but I have that for 1870, from which it appears that Massachusetts had native insane persons, 1,446, being one to every 756 native inhabitants, while Virginia had but 1,082 being one to every 1,119 native inhabitants—a difference of about two to three in favor of Virginia.

Of deaths by syphilis Massachusetts had 26, being one to every 47,348, while Virginia had but 9, being one to every 177,368. To recapitulate: After two hundred years' trial, your Massachusetts State system produced annually, in proportion to her population, ten times as many native white criminals, nearly twice as many native white paupers, four times as many suicides of all classes, more than three times as many deaths from syphilis, and one and a half times as many insane persons as did the parental system of Virginia.

Then tell me what superior advantage Massachusetts has derived over Virginia from her anti-parental system of education? Is it found in the greater number and ability of her statesmen, in the superior eloquence of her orators, or in the greater courage, skill and heroic achievements of her warriors?

It is undoubtedly true that Massachusetts has given to our country some of its very brightest and ablest literary men. The names of Prescott, Everett, and Bancroft—all students of Harvard University—and of William Cullen Bryant, who studied at Williams College, and of many other illustrious children of the old Bay State, are familiar as household words, and are pronounced with just pride wherever the English language is spoken; but it would be difficult to trace the literary greatness of one of these distinguished men to public school training.

It is also true that Massachusetts gave birth to the illustrious Benjamin Franklin; but he was far more indebted for his education to his own mighty intellect, his indomitable perseverance, and the training of a Philadelphia printing-office, than to the public schools of his native State. It is equally true that Massachusetts has given to the country two of its Presidents, the elder and the younger Adams. But it is no less true that they, too, were both educated at Harvard University, an institution which owes its origin rather to the private munificence of an Englishman than to the bounty of the State of Massachusetts. But as against these and a few lesser lights born upon the soil of Massachusetts, look at old Virginia's bright and glorious galaxy of statesmen, orators, and military heroes! look at the long line of illustrious Presidents she has given to the Republic, beginning with the immortal Washington, the "Father of his Country," followed by Jefferson, Madison, Monroe, Harrison, Tyler, and the unconquerable old "Rough and Ready," the hero of Buena Vista. It was she who gave to our country the author of the world-renowned Declaration of American Independence. It was she who gave us that matchless orator, the incomparable Patrick Henry, whose burning eloquence fired the American heart with the thrilling sentiments of that noble Declaration. To her belongs the honor of having given us the General-in-Chief to lead our half-famishing and half-naked armies triumphantly through the terrible and bloody war of the Revolution.

And when engaged in our more recent struggle with a neighboring Republic, they were Virginia's chosen sons, Zachary Taylor



and Winfield Scott, who carried our victorious arms in triumph into the very Capital City of Mexico, and won for us this Golden State, whose destinies you, gentlemen, now hold in your hands. Then, again, when our late terrible civil war burst upon the country, there stood at the head of each opposing host a child of old Virginia; and throughout that fearful contest did the military prowess of the Old Dominion shine forth in all its pristine splendor.

However widely men may honestly differ as to the merits of that contest, there is no difference of opinion as to the manly courage, the splendid generalship and the dauntless heroism of General Lee, of Stonewall Jackson, Turner Ashby, A. P. Hill, Joseph E. Johnston, and a host of other Confederate Generals, whose earliest footprints were marked upon the soil of old Virginia.

And against this mighty galaxy of generals whom Virginia gave to the Confederate cause, what did Massachusetts do for the other side? Why, she gave you the Union-sliding Banks and the bottled-up Benjamin F. Butler, which last was not her own child by the by, but one who, like the great Daniel Webster, had been imported from the granite hills of New Hampshire.

But I shall now go still farther in my arraignment of this anti-parental Massachusetts system of education—in doing which I shall ask you to turn to the United States census reports for 1860, and take on the one hand the six New England States—namely, Massachusetts, New Hampshire, Connecticut, Rhode Island, Maine, and Vermont—in every one of which the Massachusetts system of education has been in force from the very beginning of its existence. Then take the six States of Virginia, Maryland, Delaware, Georgia, North Carolina, and South Carolina, in none of which States did this system obtain a footing until a comparatively recent date; and you will find, upon comparison, that that particular New England State which with her Massachusetts system of education had the very *smallest* proportion of native white criminals, had nearly twice as many as that State which, under the parental system had the very largest proportion. For it will appear that Vermont the least wicked of all the New England States, had one native white criminal to every 3,259 inhabitants, while South Carolina, the most criminal of all the other six States mentioned, had but one native white criminal to every 5,110 native white inhabitants; thus proving that the very best kind of New England anti-parental education turns loose upon the country nearly twice as many criminals

as does the very worst kind of education under the parental system.

But I am not done with these comparisons yet. These same census reports show that, at the date referred to, while Massachusetts had proportionately the very smallest number of illiterate native white adults of any State in the whole Union, she, at the same time, stood head and shoulders above them all in the vast and gigantic proportion of her catalogue of criminals.

Among the New England States, the one that approached nearest to Massachusetts in the number of her native white criminals was the very one that stood next to her in the small proportion of her illiterate people; and that one was Connecticut. While Connecticut had but one native white adult to every 410 who could neither read nor write, against one to every 484 in Massachusetts, she had at the same time one native white criminal to every 845, against one to every 649 in Massachusetts.

Again, taking the whole of the six New England States in 1860, they had one native-born white criminal to every 1,084 native white inhabitants, while the six States of Maryland, Virginia, Delaware, Georgia, North Carolina, and South Carolina, aggregated but one native white criminal to every 6,670 native white inhabitants. A disproportion of six to one in favor of the parental system as against the New England system. Now, I ask what answer can be made to these figures? Will it be said that the Census Marshals have perjured themselves and given us false returns? Then I demand the proof. Or will it be contended—as was once intimated to me—that these Massachusetts criminals, though natives of the country, are perhaps the children of foreigners, and that they have inherited from their foreign-born parents a propensity to commit crime? It is true that the census reports are silent as to the nativity of the fathers and mothers of these native criminals, but these reports do reveal a fact which clearly shows that there are crimes committed in Massachusetts—crimes, too, of the deepest dye, crimes which strike at the heart, yea, at the very existence of society—by those who evidently did not owe their criminal propensities to the foreign birth of their fathers or mothers. I mean the terrible crime against God and society of murdering unborn children in their mother's womb. These same census reports for 1860 reveal the startling fact that in the State of Massachusetts there was among foreigners one birth per annum to every fourteen foreign-born inhabitants, while among the natives there

was but one birth to every fifty-seven inhabitants; thus indicating that, unless the natives had lost their natural fecundity, they were waging a war of extermination against their own children. Dr. Allen, of Lowell, Mass., has demonstrated that in certain localities in that State, where, two hundred years ago—just when her anti-parental system of education was first inaugurated—there were upon an average eight children to a family, they have gradually declined in numbers until now there are less than three to the family. You may talk of crimes against property, crimes against life, crimes against character, but I maintain that the man or woman who could with cold, deliberate design and premeditation murder his or her unborn babe, is capable of any crime. And akin to this is that other crime, so often practised even by married people, of thwarting in the very marriage act the great object of marriage. It would seem, too, that Boston's dens of prostitution owe their overcrowded condition, not so much to the foreign parentage of their degraded inmates as to their anti-parental education. Professor Agassiz, after making the most searching investigation into the causes of the enormous growth of prostitution in the city of Boston, said that, "to his utter astonishment, a large proportion of the soiled doves of that city, traced their fall to influences that met them in the public schools." So apparent has it become to thinking minds that the frightful growth of crime in Massachusetts is owing to their system of education that, no longer ago than the 16th day of last November, the Boston correspondent of the *San Francisco Morning Call*, writing to that paper, says: "The rapid progress of knowledge, peculiar to the educational system of this State, has led to the erection of two more State prisons."

The same correspondent, in a letter published August 5th of last year, says, "A large number of public school men have come to the conclusion that the public school system of this city is a failure."

And, tell me, how can they or you or I or anybody else come to a different conclusion? Perhaps you will tell me, as a preacher once did in discussing this question, that they teach too much sectarianism in the public schools of Massachusetts. Now, I wish right here to show you the *kind* of sectarianism they teach in those schools. It is the kind which so many of our politicians call non-sectarianism out here in California. It is the sectarianism which denies both the divinity of Christ and the existence of a hell. If you



will turn to pages 146-7 of a work published by Lippincott in 1866, entitled "The Daily Public School," you will find that the author, in referring to the public schools of Massachusetts, says: "We once put the question to a director of the public schools of one of our chief cities, whether he supposed a teacher would be justified when rebuking a couple of boys for fighting, if he referred to the words of Christ touching our conduct under provocation, as the words of a divine being? He said he was inclined to think it would not be allowed." The author then adds: "Books teaching the doctrine of the endless punishment of the finally impenitent have been rejected times without number as contraband in these schools." Now God knows that so far as religious teaching is concerned these schools ought to be non-sectarian enough to suit the devil himself, and the result I have already given in figures. But as charity begins at home, perhaps somebody will ask why I have not said more about the workings of the public school system in our own State of California; or it may be that you think this institution works so charmingly with us, by reason of the vast sums of money which have been lavished upon it, the magnificent and palatial buildings which have been erected for its accommodation, and the enormous salaries which are paid to some of its teachers, that no just ground of complaint can be found against this system as it exists in this State.

Be not too fast, my friends; the Ides of March may have come, but they have not yet passed. From the very foundation of our State the friends of our anti-parental school system have made it their incessant boast that our public schools were modeled after those of Massachusetts, and so they were, and the results have been, if possible, more direful, not to say diabolical, than even in the latter-named State. We have already seen that when the census of 1860 was taken, Massachusetts triumphantly carried off the palm for having proportionally the largest number of native white criminals of any State in the whole American Union, while, of all the New England States, Connecticut stood next in letters and next in crime. But at that time California had already outstripped Connecticut, and stood proudly up next to head, side by side with her great exemplar, Massachusetts, in the proportion of her native white criminals; for while Massachusetts had one native white criminal to every 649 native white inhabitants, California had one to every 694. But ten years more roll round, the census of 1870



is taken, and behold California stands forth to claim the proud distinction previously accorded to Massachusetts, of having more native white criminals in proportion to population than any State in the Union, for she had one native white criminal to every 512 native white inhabitants. And ours seem to be educated criminals too, for Lieutenant-Governor Johnson's last annual State Prison report, while showing that there were in our Penitentiary 253 convicts only twenty-one years old or under, tells us that of these younger convicts they can "all both read and write."

Upon our State University both the Federal and State Governments have lavished without stint their most bountiful support. Most of its officers and professors are gentlemen who stand deservedly high in the literary and scientific world; they are employed by the State, at a very considerable cost, to give the finishing touch to the education of the talented and aspiring young men of our State after they have passed through the lower grades of a public school education; yet, it would seem that by the time many of our young men pass through the preparatory grades of our public schools, they become so impregnated with the spirit of lawless hoodlumism as to be already much better fitted to enter San Quentin than a State University. If anybody doubts this fact, I beg leave most respectfully to refer him to the last Grand Jury's report of Alameda County, as you will find it published in the *Oakland Daily Times* of September 28th. Referring to an attack recently made upon the private residence of a Mr. Davis by some thirty or forty young men, consisting of the Senior students of the State University, for the purpose of capturing and subjecting to certain disgraceful and barbarous ceremonies a young student who had just entered the institution, the Grand Jury, among other things, say:—

"It was in evidence before us that members of the Senior Classes of the University, were in the habit of catching Freshmen and subjecting them to the grossest indignities, such as tossing them in blankets, taking them from bed, stripping them naked, shaving half their heads, deluging them with water, painting them on their naked bodies, with other amusements of the sort, until, as one witness expressed it, 'It was as much as a Freshman's life was worth to be caught out at night, and that, in consequence of such a state of affairs, many of them who had some self-respect were forced to live in San Francisco or Oakland.'"

Further on the jury say: "It is further in evidence before us that personal property is not safe in the vicinity of Berkeley, from malicious mischief, and that much damage has been done for which there is no redress."

There, gentlemen, is the picture of your much boasted educational system in its very highest department, as drawn by the Grand Jury of Alameda County, under the solemn sanction of their juridical oaths. There is the photograph, not of young men who expect to move in the humblest walks of life, and to earn their living by their manual labor, but of your educated young men, in the very highest sense in which the friends and advocates of our public school system recognize that term. They have already passed successfully, first through your primary schools, next through your grammar schools, then through your high schools. They have even passed all the lower grades of a University education, and are now grasping for the highest literary honors in the gift of the State. These are the young worthies who are pressing forward to take their places at the Bar, on the Bench, in the halls of legislation, and generally to take charge of the property, the lives, the liberties, and the reputation of our people.

Ye Gods! what a hopeful prospect for California. And what a glorious thing it would be to have the entire youth of our State educated up to this water-ducking, body-stripping, blanket-tossing, head-shaving, and property-destroying degree. All this I say without the slightest intention of reflecting in the least degree upon the character or capacity of the excellent gentlemen who have the immediate charge of our State University. As has been well remarked by Professor Joseph Leconte, of that institution, a University is intended for "men and not boys." By which he of course meant men in mind and manners, as well as men in years. I do not believe these young men have learned their deviltries from their University professors. The truth doubtless is that many of them graduated in crime long before leaving their district schools, and nothing short of omnipotent power could purify their already corrupt and festering hearts. And this is the educational system for which California paid last year \$2,749,729.46, of which \$2,149,436.70 went to pay teachers. Whenever we propose such a reformation of our public school system as will make it conform to the laws of nature and the inalienable rights of parents and children, we are sure to hear ringing in our ears the everlast-

ing cry of "Sectarianism," by which is only meant "Religious Sectarianism;" but we never hear a word against *irreligious sectarianism*. If we are to believe those who raise this non-sectarian cry, there is only one sect that should have any voice in the matter of education, and that is the sect which believes in no God, no eternity, no Heaven, and no hell. In other words, the devil's own sect.

We often hear people, and even politicians, talking flippantly about sectarianism, who seem scarcely to know the meaning of the word sectarian. Of course all understand that the term sectarian means a member of a sect. But what is a sect? The English word sect, as is well understood, is derived from the Latin word *seco*, which means to cut off, to separate. Hence a religious sect, according to its original signification, meant a class or association of Christians who were cut off or separated from the body of the Catholic Church. And to condemn the teachings of sectarianism in this sense would simply be to condemn the teaching of any except the Catholic religion. Custom, however, has given to the word sect a more general and comprehensive meaning than this, and according to our best English lexicographers, the word sect now means "a body or number of persons, united in tenets." That is to say, united in principles or opinions, either political, religious, philosophical, educational, or any other kind of opinions. Now there are in this country, according to this last definition, a great many sects. We have sects differing from each other on questions of religion; sects differing on questions of politics; sects differing on questions of science and philosophy; and sects differing in opinion as to the best mode of educating children. Upon this last question alone we have a great variety of sects. For example, we have sects that believe in teaching the Bible in the schools, and sects that want no Bible taught there. We have sects that believe that the teaching of religion and science should go hand in hand; sects that believe in teaching only the human and natural sciences at school, and in limiting religious teachings to the home and the church; and sects who would not have religion taught anywhere. But all these different varieties of sects, into which the American people are divided on this educational question, resolve themselves into two grand divisions, and may all be classed under two general heads, namely: the sect or body of people who believe that, as a rule, the education of each



and every child ought to be under *parental* control; and the opposing sect, who believe that education should be under *State* control. The former sect maintains the doctrine that in the matter of education, fathers and mothers, whether they belong to the Democratic, Republican, Non-Partisan, or Workingmen's Party; whether they be Catholics, Protestants, Jews, or non-religionists, without distinction on account of differences on religious, political, philosophical, or other questions, are respectively the God-appointed guardians, directors, and superintendents of the education of their own children; and that it is the bounden duty of the parents of each child to direct and control that education according to the dictates of their own consciences.

Members of this sect believe, moreover, that unless they forfeit this right by crime, or become incompetent to properly exercise it, as by insanity, or lose it by death, it is the grossest tyranny on the part of the State to interfere with its free and untrammelled exercise, or to compel them to pay for the support of a system of education which they cannot in conscience permit their children to enjoy. Among those who belong to this sect or party—which may properly be termed the Parental Rights Party—are men of liberal views, of all classes, creeds and parties; but I have never seen the principles of this Parental Rights Party more clearly, more forcibly, or more unanswerably expressed, than they are in a letter addressed, some time ago, to Governor Alcorn, of Mississippi, by Bishop Elder, of Natchez, that brave and fearless champion of the cause of humanity, who so nobly periled his life during the late prevalence of yellow fever in the ill-fated city of Vicksburg. I cannot forbear quoting from that letter the following brief passage. The Bishop says: "There are various views about religion. Some parents wish their children never to embrace any, but to endeavor to be good without religion. Some people wish their children to learn about all the religions, and choose for themselves after they grow up. Some wish their children taught religion only on Sundays, or between school hours. Some, especially the poor white and colored, must make their children work between school hours; and Sunday, likewise, has many other occupations, spiritual and material. Some parents judge that their children have need of frequent reminding of religious truths, and most of all, during school hours, when their habits of mind are forming. Now all these different classes have



different views about religion as connected with education. Some want little, some want more. Some want it on Sundays, some in school hours. What we ask in the name of liberty and justice is, that each be free to follow his own views, and that he leave the same freedom to his neighbors.

“That no one of these classes be suffered to dictate to the others how their children shall be trained in regard to religion—much less be allowed to force their views about religion on their neighbors’ children, with the very money which those neighbors have paid to the State for their education. *Let those who want no religion have schools to suit them, and those who want more have what suits them.*”

These are sentiments worthy of a lineal descendant of those noble sires of old Maryland, who were the first to plant upon the virgin continent of America the sacred banner of civil and religious liberty. I shall now devote myself to the task of demonstrating, by an appeal both to reason and authority, that the parents of every child have the natural God-given and inalienable right to direct and control its education, and further, that no parent can, without a violation of one of nature’s highest laws, and without doing a gross injustice to his child, allow the State to take from him the privilege of exercising this right.

I shall, then, proceed to prove that our present public school system, as by law established, and as it has been proposed to perpetuate that system by constitutional enactment, is directly at war with this parental right.

I had not the honor of being present at the organization of our Constitutional Convention, but I read in one of our daily newspapers a detailed account of its opening proceedings, and I there saw it stated that every member of this honorable body, before beginning the all-important work of framing a new Constitution, stood up in the presence of the Chief Executive of the State, and with uplifted hand, swore a most solemn oath, concluding with the words, “So help me God.”

Now I cannot presume that this solemn appeal to that most sacred name was a mere sham—a simple act of hypocrisy. I must, therefore, conclude that every member of our Convention seriously believes in the existence and overruling providence of a God—a God whose laws, whether relating to the physical, the mental, or the moral world, have been enacted with infinite wisdom, and

must be obeyed, or else their violators will be punished with unerring certainty. That, as Sir William Blackstone tells us, "No human law is of any validity if contrary to the natural law, and that such of them as are valid, derive all their force and all their authority mediately or immediately from this great original."

Now it cannot successfully be denied, that before any State or other political organization ever existed, and consequently before any human law had ever been enacted, the family society, consisting of husband and wife, parent and child, was established by the Creator, and laws given and plainly written on the heart of each member of that society, for its proper government.

Now what were and what are these laws? For let it be remembered that whatever they were in the beginning, they are to-day, and shall be forever. Man can no more repeal the moral law of nature, which prescribes the relative rights and duties of parent and child, than he can repeal the physical law of gravitation, which holds in their appointed spheres all the mighty planets of the universe.

Now amongst the duties which nature imposes on parents is the duty of feeding, clothing, and educating their own children. So says the unanimous voice of every author of note, on either law or morals, who has ever written on the subject. Bouvier says: "The principal obligations which parents owe to their children are their maintenance, their protection, and their education." Sir William Blackstone says: "The last duty of parents to their children is that of giving them an education suitable to their station in life; a duty pointed out by reason, and of far the greatest importance of any."

Chancellor Kent says: "The duties of parents to their children, as being their natural guardians, consist in maintaining and *educating* them during the season of infancy and youth." Dr. Wayland, in his "Elements of Moral Science," referring to this same duty of parents to educate their children, says: "The duties of parents are established by God, and God requires us not to violate them." But it seems to me that no man or woman, not wholly depraved, would pretend to deny that, before and above, and independent of all human laws, the father and mother who, under God, have called a child into existence, are bound by the very first and highest law of their nature not to allow that child either to starve to death, freeze to death, or, worse still, to drag

out a miserable, degraded, and worse than dying existence, for want of knowing how to live. Then I shall take it for granted that we all agree that parents are bound by the natural law to educate their own children. But there are very many different ways of educating children, and there are a thousand different opinions as to which is the right way. And then, again, the right way for one, may be the wrong way for another. Dr. Wayland says, and he speaks the voice of nature and nature's God, when he says: "The duty of parents is generally to *educate, or to bring up their children in such manner as they believe* will be most for their future happiness, both temporal and eternal"—not in such manner as the Federal or State authorities may believe best; not in such manner as a Constitutional Convention, or a State Legislature, or a Town Council, or a Board of School Trustees may direct, but "in such manner as they, the parents of each individual child, may believe will be most for its future happiness, both temporal and eternal."

Again, Dr. Wayland tells us that by the natural law "*the teacher is only the agent, and the parent is the principal*;" and again, referring to the duties of the teacher, he says: "If he (the teacher) and the parent cannot agree, the connection must be dissolved." But surely, it ought not to have required a Dr. Wayland to tell us this. No man or woman, whose moral sense is not utterly paralyzed, can fail to read this law, as it stands imprinted on every human heart. Now this natural, inalienable right of the parent, here asserted by Wayland, to educate his own children in *such a manner as he believes will be most for their future happiness*, necessarily involves the right to select, for purposes of such education, a school wherein not only the teachers and the books, but also the pupils who are to become the associates of his children, are, for purposes of companionship, not seriously objectionable to him; for, as Wayland well expresses it, "inasmuch as the moral character of the child is greatly influenced by its associations and companions, it is the duty of the parent to watch over these with vigilance, and *control them with entire independence*." . . . In such matters he is the *ultimate and the only responsible authority*."

Again, under the head of "the rights of parents," Dr. Wayland says, "The right of the parent over his child is, of course, commensurate with his duties. If he be under obligation to educate his



child in such manner as he supposes will be most conducive to the child's happiness and the welfare of society, *he has of necessity the right to control the child in everything necessary to the fulfilment of this obligation.*"

Then who will dare deny that the custody, care, and education of children is a personal trust, reposed by the Creator of every human child in its own father and mother?

In order to qualify fathers and mothers in a peculiar manner for the faithful discharge of this high trust, they are endowed by their Maker with a special and particular affection for their own children, which they do not and cannot feel for the children of another, and which another does not and cannot feel for their children. This affection we call parental love. It is due to each child from its own father and mother, and it is not due from anybody else. It is a debt which nobody else can fully pay. It is only the father and mother who, by daily and nightly contact with the child, can know whether or not the teacher is discharging his duty. It is only they that have an opportunity of knowing whether the child is learning virtue or vice at school. It is only they that can discern in his daily deportment either an increasing respect for superiors, or a growing contempt for authority. Theirs is the peculiar privilege of witnessing the smile of innocence that sparkles in the eye and dimples the cheek, or else the sinister frown and bitter, scornful sneer which overcloud and distort the countenance. It is theirs to listen to that sweet, merry, ringing laugh; to look down into those bright, clear, beautiful, confiding, truth-telling orbs, that bespeak a heart and soul free from guile; or else to hear the sullen murmur of youthful discontent; the low, vile, lewd, and profane language of the blackguard, and to note the hypocritical, deceitful look; the sly, stealthy glance, and the lecherous, beastly glare of the eye, which tell of a heart already tainted with dishonesty, or rotten with impurity.

Not only has the Creator implanted in the hearts of fathers and mothers of children this peculiar affection called parental love, and furnished them with peculiar opportunities of observing the good or bad results of the education they are receiving; but in order the better to qualify them for the faithful discharge of their noble trust, he has, moreover, in a very special manner, so interwoven the happiness of the child with that of the parent, that it is impossi-



ble for the latter to be happy while the former is miserable. It is not possible for the child to suffer dishonor without sending a deadly sting into the heart of the parent. There is no period or condition of life when the happiness of the parent does not largely depend upon the manner of the child's education.

But especially is this proposition true when considered with reference to those seasons of poverty, of sickness, or of extreme old age; when more than at any other time of life, man feels the necessity of human sympathy and human succor. If your children have been properly educated, it is then that they will rally to your support. If assailed by poverty, they will stand as faithful sentinels at your door, to see that want do not enter there. In the hour of your sickness, theirs are the eyes that will watch throughout the livelong night without growing weary; and theirs the hands that will smooth the pillow where rests the aching head, and lift to the parched lips the soothing cup of cold water; and when death shall have forever closed your earthly career, upon your honored grave will fall in mute eloquence the grateful tears of their undying filial love; and finally, in the lives of unnumbered generations yet unborn, will bloom forth and fructify the seeds of truth, honor, justice, and charity, which you by means of a good education shall have sown in the minds and hearts of your children. But, on the other hand, if while your children are young and helpless you needlessly turn them over to the *town* to be educated; ten chances to one, when you grow old and poor and helpless; they will requite this neglect by turning you over to the town to be supported while living, and by the town, to be buried in a pauper's grave when dead.

To show you that these views are not peculiar to the thinking minds of any creed or party, but that they are beginning to excite, to alarm, and arouse to action some of the best and clearest intellects in the country, allow me to read extracts from a few communications addressed to myself by gentlemen well known in California, in acknowledging the receipt of a little book recently published by me on the school question.

An intelligent Protestant gentleman, Mr. A. Adams, writing from Los Angeles County last March, the 3d, says: "I am struck with the similarity of our views on the school question, and bid you God-speed in propagating your views as contained in the pub-

lication before me. I see that you, a Catholic, and I, a Protestant are united here."

Dr. Thomas Dawson of the same county, a gentleman of a high order of intelligence, but professing no form of religion, on May 26th wrote: "On speaking of this subject of our public schools, I find that there are many persons in this section who are in harmony with you in sentiment on this subject, and when they shall have had access to your array of facts and arguments will certainly become aroused to a proper sense of the importance of the subject; for I honestly believe that your array of facts and reasoning are simply unanswerable."

Dr. John Le Conte, the very able, learned, and worthy President of your State University, in a letter addressed to myself on the 21st of last March, touching the subject chiefly discussed in the book referred to, while he does not entirely agree with me as to the cause, bitterly laments the fact of the decline of parental authority as follows. He says: "There can be no doubt that the gradual *impairment and loss of parental authority and influence is one of the most serious and momentous evils which beset the American civilization. It undermines the very foundations of the family—the essential unit of society.*"

Dr. Joseph Le Conte, also a leading Professor of the California State University, and who is regarded by many as one of the clearest and deepest thinkers in America, while not prepared at present to go as far as myself in his opposition to the existing public school system, nevertheless, in a letter dated April 8th, 1878, among other good things, says: "I fully concur with you in your view that any education which weakens the family tie, strikes at the very foundation of society, and no amount of good in other directions can atone for this greatest of all evils. I fully concur with you also in your opposition to *compulsory State education*. This certainly strikes at the integrity of the family, for it makes children the wards of the State. I fully believe, also, that *private schools*, each parent choosing his own, furnish a better education, all things considered, than any public school system."

Several months ago I sent the book referred to, embodying the same sentiments uttered here to-night, to more than 100 editors of papers and periodicals published on this coast, and in each case enclosed a letter to the editor requesting, if any error should be discovered either in my facts or conclusions, that I might be set

right. Did time permit, I could read to you many handsome endorsements both from the daily and weekly journals of this State. Others found fault with the book. But I believe that not one has attempted to deny the facts or figures given, or to refute by anything which could be dignified by the name of argument the conclusions drawn therefrom.

Among the journals denying the paramount right of parents to control the education of their own children, as asserted in that book, I regret to have to number the *San Francisco Monitor*, the only Catholic newspaper in this State. But in doing so, I feel warranted in saying, that as far as I have been able to learn, that paper expressed the views of no other Catholic journal, and of no Catholic clergyman, either Priest, Bishop, or Archbishop, except the learned divine who edits that paper. The people are already beginning to understand the fearful wrong both to themselves and their children, to which they have too long submitted, in surrendering to the State both their money and their little ones; and when they do fully awake to a realizing sense of this deep wrong, fearful will be the reckoning required of its authors, its aiders and abettors.

Your humble servant has been sometimes charged with being a *bigoted Roman Catholic*, and with seeking to establish the public school system on a sectarian basis. Now, that you may know how far my Catholic sectarianism carries me on this school question, allow me to assure you that while I am an humble member of the Roman Catholic Church, and recognize to its fullest extent the teaching authority of that Church in religious matters, and with a very few isolated exceptions have the highest respect for the learning, ability, and piety of its clergy, yet if every Priest and Bishop in California and in America, backed by the Holy Father, the Pope of Rome himself, should do so improbable and unwarranted a thing as to command me to send my child to be educated by a particular teacher, whom I, as the father of the child, should conscientiously believe an unsuitable person to be entrusted with that important work, it would not only be my right, but my bounden duty, both as a *Roman Catholic and a parent*, to disobey the command; and why? Because this is a matter in which the law of nature throws upon me the responsibility of acting according to my own best judgment based upon all the lights within my reach. Leaving all other considerations aside, is it at all probable that even all these Priests, Bishops, and Pope, with all



their learning and piety, would know as much of the teacher's real character as I, the father, who daily read that character in the language and conduct of my own child?

And suppose that from that language and conduct, or from any other source of information, I, the parent should come to the conclusion that the teacher of my young son or daughter is an unprincipled libertine, whose detestable conduct or vile maxims would in a single day, or perhaps in a single moment, corrupt and ruin my child—shall it be said that I must still wait until my priest or Bishop, or any other man, whether he be churchman or statesman, shall grant me permission to snatch my child from the jaws of destruction?

No! no! This is a power, an authority over my child, which, whilst living, I can neither entrust to nor divide with any other man. And the very same right which I claim for myself, I claim for every other parent, be he Catholic, Protestant, Jew, or non-religionist; and this is the length, the breadth, the height, the depth and the thickness of my Roman Catholic sectarianism on the school question: and when I speak thus I believe I speak the sentiments of every well instructed Roman Catholic in the world, except it be a certain nondescript kind usually styling themselves Liberal Catholics, and whom in California you may generally know by the fact that whenever in their presence the charge of religious bigotry is preferred against your humble servant in connection with this school question, they always stand ready to shout *Amen!* to the slander.

This is a class of Catholics, every one of whom, while agreeing with me that it would be wrong to surrender his parental authority to any bishop or priest, no matter how learned and holy he might be, would not at the same time hesitate to divide that authority with every hoodlum, and loafer, and bummer, and drunkard; with every thief, rake, and robber, provided only they have votes with which to lift his miserable carcass into some petty office, where, with the prefix of honorable to his name, he will seek to cover his worse than Judas-like treason. Treason to his children, treason to his country, and treason to his God.

It has not unfrequently been said to me, "Were it not for your radical and uncompromising notions on the school question, you could have this office, and that office, and the other office." I now give due notice, both to my friends and my foes, that I recognize



no more honorable office on earth, than the office of vindicating down-trodden truth, and I may add that I neither ask nor desire any higher office than the office of stripping and exposing in all their horrid and naked deformity, and lashing with the relentless scourge of truth, these trimming, time-serving, pot-house politicians, whether of high or low degree, called *liberal Catholics*, who would not only barter their own birthright, but that of their children, and their children's children to the end of time for a dirty mess of political pottage. This is the class of Catholics of whom I regret to say you now have some choice specimens in the city of Sacramento and about this your State Capitol. Such are the Catholics, who, in the daylight, would greet you with faces wreathed in smiles, and under cover of the darkness would stab you in the back. *Such is the liberality of these liberal Catholics*, that when every other means had utterly failed of depriving your humble servant of a hearing on this school question before your Honorable Committee, or the other members of your Honorable Body, they finally resorted to the low trickery of locking the door of the Senate Chamber, hiding the key, and then declaring it stolen.

But thanks to the courtesy, the honor, the manhood and the love of fair dealing which characterize gentlemen everywhere—except these liberal Catholics—I have been kindly accorded the use of this magnificent hall, which answers a better purpose.

I will also add, in passing, that in the course of a somewhat eventful life, I have never been called upon to confront as vile and contemptible a trick as that resorted to within the walls of this Capitol to-night for the purpose of thwarting my right of free speech on this school question. Even during the bitterest and bloodiest days of the late war I travelled from one end of this State to the other, held meetings and made public speeches opposing both the war and the present public school system. But the gentlemen opposed to me in sentiment, while they believed me wrong in my way of thinking, generously accorded to me the right to speak as I thought. Those were bold, generous and magnanimous foes, and never, from the beginning to the end of that terrible struggle, did I have a meeting broken up or a hall in which I had made an appointment to speak, closed against me. Perhaps it may be asked why it is that I am so much more bitter in my denunciation of my Catholic than of my non-Catholic adversaries on this school question? Now I shall answer this question by asking

another. Why is it that Titus Oates that consummate hypocrite and apostate Catholic of detested memory, whose false accusations caused the execution of so many of England's best men, has by the common consent of all mankind been branded with a degree of infamy such as nobody ever thought of visiting upon the judges and juries who tried and convicted those innocent men. It is because, the fact of his having been a professed Catholic, and in the confidence of Catholics, gave to his false testimony a weight which it would not otherwise have had; and while he well knew that he lied when he charged his ill-fated victims with plotting for the overthrow of the Government, those judges and juries neither knew nor had his opportunities for knowing the truth. So in the present case. These so-called *liberal Catholics*, coming from the same religious household as myself, when they join in the hue and cry of religious and sectarian bigotry, give a point and power—which otherwise it would not have—to the false charge so often preferred against me, of seeking a division of the public school fund on a purely sectarian basis, for the especial benefit of Catholics, instead of—as the fact is—on a parental basis, without any kind of distinction or discrimination, either for or against religionists or non-religionists, of any creed, sect, party or class whatever.

I have now given you the doctrine of that educational sect comprising intelligent and truly liberal-minded men of all creeds, and parties who are willing to allow and to guarantee to every man, regardless alike of political and religious differences of opinion, the right to worship God and to educate his children according to the dictates of his own conscience. This is the sectarianism which rests squarely and firmly on the great eternal, immutable, natural moral law; and if you gentlemen would repeal that law, you should first try the strength of your legislative powers by a repeal of the natural physical laws which set in motion the winds and the waves, and prescribe the speed and course of the heavenly bodies; or, at least, by a repeal of that other natural law which makes food necessary to sustain human life. I do not doubt man's power to disregard and violate even this natural physical law; but in doing so, he will only bring death to that life which food was made to sustain. Neither do I doubt man's ability to disregard and violate the natural moral law, which prescribes the relative duties of parent and child in the matter of education;

but I do deny his ability to do so and escape the terrible penalties due to such violation.

Then on the other hand we have on this educational question another sect, whose views and principles I now propose to consider. It is what may be styled the anti-parental, public school sect; a sect composed of those who maintain the doctrine that it is not the right of the *parent* but of the *State* to determine how, by whom, and in what company the child shall be educated.

In 1864, our then California State Superintendent of Public Instruction boastfully and triumphantly proclaimed the doctrine as established by numerous judicial decisions which he quoted "that the vulgar impression *that parents have a legal right to dictate to teachers is entirely erroneous.*" "*That parents have no remedy as against the teachers,*" and that "*the child should be taught to consider his instructor in many respects superior to the parent in point of authority.*"

Quoting from a New York decision in *Spear vs. Cummings*, 23 Pick, 324, the Superintendent says: "In private schools the case is somewhat different" from what it is in the public schools, "for the parents there, in legal effect, are the employers of the teacher, and consequently his masters; but in the common and public schools they are neither his employers nor his masters, and it is entirely out of place for them to attempt to give him orders; for there is no privity of contract between the parents of pupils to be sent to school and the schoolmaster. *The latter is employed and paid by the town, and to them only is he responsible on his conduct.*"

For the correctness of these quotations I refer to Superintendent Swett's biennial report for 1864, pp. 164-5. Again. If you will turn to the June number of the *California Teacher* for 1867, the official organ of our State Superintendent, you will find the monstrous doctrine of this anti-parental sect officially announced in the following language, namely: "We have a course of study established by law, by means of which teachers are enabled to pursue an intelligent system of instruction in spite of the prejudices of parents who are too ignorant to comprehend the purposes of a school." But, as the fullest and fairest exposition of the narrow-minded, intolerant, contracted proscriptive doctrine of this anti-parental public school sect, I shall call your attention to Section of 1 an Act, entitled "An Act to enforce the educational rights



of children," passed by the Legislature of this State, and approved March 28, 1874, which provides as follows: "Every parent, guardian, or other person in the State of California, having control or charge of any child or children, between the ages of eight and fourteen years, shall be required to send any such child or children to a public school, for a period of at least two-thirds of the time during which a public school shall be taught in each city, or city and county, or school district, in each school year, commencing on the 1st day of July, in the year of our Lord 1874; at least twelve weeks of which shall be consecutive, unless such child or children are excused from such attendance by the Board of Education of the city, or city and county, or the Trustees of the school district in which such parents, guardians, or other persons reside, *upon its being shown to their satisfaction* that his or her bodily or mental condition has been such as to prevent attendance at school, or application to study for the period required, or that the parents or guardians are extremely poor or sick, or that such child or children are taught in a private school or at home, *in such branches as are usually taught in the primary schools of this State*, or have already acquired a good knowledge of such branches; provided, in case a public school shall not be taught for three months during the year, within one mile by the nearest travelled road of the residence of any person within the school district, he shall not be liable to the provision of this Act.

Section three of the same statute makes its violation a penal offense, and visits parents and guardians with a penalty of from \$20 to \$50 for each violation. So that under our present public school system the parent is not only required to allow this anti-parental educational sect to prescribe for his children their course of studies, select for them their books, their teachers, and the companions with whom they must associate, but he is required, however much it may do violence to his judgment and his conscience, to send his children to just such schools as this sect may provide, unless it should please his masters—the Board of School Directors—to allow him, after forfeiting all of his interest in the public school funds, to educate his children elsewhere, at his own expense.

Thus it is easy to be seen, that so far as legislative enactments can effect that monstrous result, the education, the honor, the virtue of every child in this State is to-day completely at the



mercy of the School Directors of the city, town, or district where it happens to reside, for, be it remarked, that under this statute, should the Board of School Directors appoint as a teacher for your young, innocent daughter, the vilest libertine that pollutes the earth, you are required to send that daughter to his school and are not allowed to withdraw her therefrom, even for the purpose of sending her, at your own expense, to the best private school in the State, unless you first go and obtain permission of your said masters, composing the very Board who have perpetrated so foul an outrage upon you and your child. And you will observe that even this Board of Directors are not allowed by this statute to consent in any case to the absence of a child from the public school, except upon its being made to appear to *their satisfaction*, either that the parents are extremely poor or sick, or that the bodily or mental condition of the child is such as to prevent its attendance, or that the child is being taught at home or elsewhere the same branches usually taught in the public primary schools. These are the only reasons for which this statute will even permit the School Directors to allow the withdrawal of a child from the *public* schools. It will do no good to tell the Board that you believe in your heart the school teacher is a base, bad man, or a vile, lewd, and abandoned woman. Nor will it be of any avail to assert, and to prove the fact, that a considerable number of the pupils of the school are already perfected in all the arts of crime, and that your child cannot associate with such companions without corrupting its morals. These are not recognized under the statute as legal excuses for absence, so that, come weal or woe, you must either send your child to the school, or else stand branded as a criminal before the law, and run the risk of being mulct in damages or sent to jail, or both, for refusing to thrust your child, as you believe, into the very jaws of destruction.

To show the singular dilemma in which this compulsory school law may sometimes place a parent, I need only refer to another portion of the same Grand Jury's report of Alameda County already mentioned, wherein the jury charge that two out of three of the late School Directors of Temescal District—and that is my own school district—were guilty of malfeasance in office—the one by taking from the Board, of which he was a member, an appointment as music teacher, and the other, by procuring from the

same Board a building contract. The same Grand Jury further charge one of the present members of the same Board with the embezzlement of money in a matter outside of his duties of School Director. And *these* are the individuals whom the school law would make the guardians of my children with paramount authority, in defiance of the will of their own father and mother, to say who shall be their teachers, their companions, and what they shall study at school. Let it not be said that this statute is seldom or never put in force, and that it stands as a dead letter on the statute book. For if that be so, then what, let me ask, must be the effect of this lawless example on the rising generation, set before them by those whose authority the law makes superior to that of their own fathers and mothers in the matter of their education? The statute makes it the duty of the school directors to see to the enforcement of this compulsory school law; and these directors take a solemn oath to faithfully discharge the duties of their trust; and are we to be told that both the law and the official oaths of our school officers are mere dead letters? If this infamous statute can be dignified with the name of a law, then, I ask, are not our school directors guilty of official perjury whenever they willfully and knowingly neglect its enforcement? And how can we hope that the pupil will respect his oath or reverence the law when trained up under the immediate guardianship of men who have no regard for either? Even the repeal of this compulsory statute would be of little avail, for the reason that the parent would still have to submit to be robbed either of all interest in the school fund, or else of his sacred right to direct and control his children's education, under these anti-parental school laws now in force.

The dignity, the honor, and the reverence once recognized as due to the parental office have been utterly abolished. The family government, so far as legislation can make it so, is now to be numbered amongst the institutions of the past. The father of the child who, as we have seen, cannot rightfully divide his authority to select the school for his children, even with the best man in the world, is now required by statute to split up and subdivide that authority into as many fractional parts as there are voters in his district, and to parcel it out equally amongst them all, the good and the bad, the drunk and the sober, the honest man and the thief, the virtuous and the vicious, and allow them

to decide, by a political election, who shall take his (the father's) place in selecting teachers for his children. Thus the vile wretch whom he would not permit to darken his door, and whose friendly salutation on the street he would be tempted to resent as an insult, must, nevertheless, be allowed to share equally with himself the guardianship of his children. Not only that, but his little ones, however young and innocent and pure, must be sent to associate on equal and familiar terms with the children of the vilest, most besotted and degraded pimps and prostitutes of the town; with children whose eyes from their tenderest infancy are inured to scenes of beastly debauchery, and whose ears—aye, and tongues too,—have grown familiar with lewd, profane, and blasphemous language. Children whom the virtuous parent would no more permit under the home roof to associate with his own, than if they were so many scorpions or rattlesnakes. Evil communications corrupt good manners. And who does not know that one bad child is enough to endanger the morals of a whole school?

I know it is sometimes argued that *every legal voter* is as much entitled and as competent to participate in determining by his vote who shall be the teacher of his neighbor's child, and how that child shall be taught, as he is to participate in deciding how the State shall be governed and who shall be its Governor. Those who argue thus say that every voter has an interest in the proper education of every child in the community, and therefore every voter should be allowed a voice in directing and controlling that education. I answer, it is true that every voter has an *indirect interest* in the proper education of every child in the community, but it is only the father and mother of the child who have a *direct* and *vital* interest in that subject. With them it is more than a question of life and death, as to whether their own child shall become a debauched, degraded outcast, to be despised by men for all time, and accursed by God for all eternity. While I admit that every voter has an *indirect* interest in the proper education of his neighbor's children, I deny that it is every *indirect interest* that gives to the interested party the right to vote. To illustrate: Every citizen of the State of California is *indirectly interested* in seeing that Sacramento has good and capable municipal officers. But does that prove that every citizen of this State has a right to vote at the election for Mayor of Sacramento



City? Every subject of Great Britain—yes, and of China too—has an *indirect* interest in the election of the President, Senators, and Congressmen of the United States. And this, not only by reason of the vast commercial relations existing between those countries and ours, but because the question of peace or war may, and sometimes does, turn upon an election of those officers. But will it therefore be claimed that all the inhabitants of Great Britain and of the Chinese Empire have a right to participate in our elections? If that is to be the doctrine, there can be but little doubt but that California's notorious *Bee* will be our next President.

Take another illustration: Every voter and tax-payer is *indirectly* interested in having our young men and maids properly and congenially wedded, whereby much less of the time of our Courts would be occupied in trying divorce suits, and the peace of neighborhoods would be less frequently disturbed by family brawls. Must we then establish a Board of Matrimonial Directors, to be elected by the people, whose duty it shall be to select for every young man such wife as suits the tastes of the Board, without reference to the wishes of the parties to be wedded? Think you that this would prevent family quarrels, or put a stop to suits for divorce?

I am persuaded that no sane man will, upon reflection, deny that, in all matters appertaining to the affairs of a government—whether such government be great or small; whether it be a national, a State, or a county government; whether it be the government of a city, or a corporation, or a family—other things being equal, it belongs not to those who are *indirectly*, but to those who are *directly* interested in the action and results of the government, to direct and wield the powers of such government.

Now, who in all the wide world can be the one-ten-thousandth part so directly and vitally interested in the proper exercise of that particular function of the family government which appertains to the education of the child as are its own father and mother?

Who will undertake to estimate in dollars and cents the value of well-trained and properly educated children to their own parents. Show me the father and mother of a good, dutiful, and properly educated child who would be willing to exchange that child for any or all the other children in the world, and I will show you a pair of monsters in human form.



If there is any government in the world that has the inherent right to regulate its own domestic affairs in its own way, it is the family government. This is the oldest government on the face of the earth. It is the source, the fountain head, whence all human governments take their rise. God himself is its immediate author. The father of a family is the only earthly king who rules directly by Divine right. His authority over his own children, and his exclusive right to train and educate them in his own way, dates back to the very morning when the firstborn child of Adam and Eve lay a helpless infant in the arms of its mother; and this authority was long afterward reaffirmed and ratified by the Almighty from the mountain's top, where, with a tongue of lightning and a voice of thunder, he gave the command, "Honor thy father and thy mother." *Every family is a little government*, a God-ordained government, with its powers and its jurisdiction distinctly marked out and recorded on the tablet of the human heart; and each of these little governments stands in the relation of a foreign power toward every other family government. There is surrounding each family government, however poor and humble such family may be, a "charmed circle," within which the mightiest monarch on earth should not dare, uninvited, to set his foot or intrude his unwelcome presence. *And this is the educational circle*; this is that sacred circle which encompasses the tender, plastic, untaught mind and heart during the earlier years of childhood, when the character of the future man or woman is in its embryo state, and liable to be made or marred by the very slightest touch, and to be swayed for good or evil by the most imperceptible influences.

It will not do to say that the State contributes its money toward the education of the young, and therefore the State may step within the family circle, and cutting asunder the sacred bonds of love, harmony, and reciprocal confidence between parent and child, transfer the control of the child's education to the hands of strangers. As well might you tell me that should the State invest its money in the raising of sheep, it ought, therefore, to snatch the young sucking lambs from the well-filled teats of their own mothers, and turn them over to a herd of barren ewes or crusty, udderless old wethers to be suckled.

If the State would cover its broad pastures with fat and healthy herds, let it not thwart, but aid, the parent sheep in following the

laws prescribed by nature for the propagation, protection, and feeding of their young. So, likewise, if the State government would fill this land with free, intelligent, well-educated, upright, law-abiding men and women, let it not thwart fathers and mothers in their honest endeavors to preserve intact their parental authority, and to maintain the honor, dignity, and harmony of the family government, by educating their own children according to the dictates of their own best judgments and consciences.

It appears to me that the surrender to the State by parents of the right to control the education of their own children, is the most wonderful as well as the most astounding enigma to be found in the history of the human race. I believe I have never yet found a sane man who, if asked the question whether or not he would be willing to let the good or bad training of his horse or his dog depend upon the uncertain result of a political election, would not promptly and emphatically say no! And yet will that same individual, with the most amazing inconsistency, imperil the education of his child—whose good training he should prize more than that of all the horses and dogs in the universe, involving as it does, not only the temporal and eternal happiness of the child itself, but also the honor and social standing of his entire family, as well as his own peace of mind for the rest of his days—by making it depend upon that same fickle and uncertain event upon which he would not risk the usefulness or the good reputation of his dumb brute! Was there ever—I ask in all candor—was there ever inconsistency like to this?

As an objection against allowing parents—each for himself—to control the education of his own children, it is sometimes urged that the great mass of parents, by reason of their indifference and incapacity, are unfit to discharge so important a trust. But I would ask every honest and intelligent parent who argues thus, upon what principle of reason or sound morality can you allow these indifferent and incompetent parents to participate equally with yourself in deciding by their votes who shall control the education of *your* children, when you are not willing to trust them to manage and control the education of their own?

It is also but too true that parents as a rule are most alarmingly indifferent to the manner of their children's education, as is abundantly proved by the single fact of their having surrendered to the State all control over the subject. But I hold that this indiffer-

ence on the part of parents is the necessary and natural outgrowth of our anti-parental educational public school system itself.

One of the favorite maxims of those who are forever lauding this system, is that the State owes every child an education. And what is more natural than that parents who from their tenderest infancy have had this false maxim dinned into their years, and whose own fathers and mothers have acted upon this maxim by leaving *their* education to the State, to be shaped according to the accidents of political elections, should have arrived at the conclusion that it is no concern of theirs, but the business of the State to look after their children's education.

Let the State government assume to itself the business of feeding and clothing all the children in the State at its own expense, and let it dress and feed all these children alike, in defiance of the differing tastes, judgments, and wishes of parents, and I am persuaded that in the course of a few generations there would be witnessed an alarming growth of parental indifference to the whole subject, both of the food and clothing of the children, while at the same time there would be a corresponding increase of interest manifested by a swarm of wholesale dealers, in their greedy efforts to get swindling contracts to furnish the government the needed supplies.

Lippincott, in his *Gazetteer of the world*, tells us that in Egypt it has been the custom for hundreds of years to hatch chickens by artificial heat and raise them by hand; and he asserts it as a remarkable fact that chickens thus hatched and raised without a mother's care, are wholly destitute of the instincts which relate to the care of young. And so it is in a large degree with children who have been brought up under this abnormal system of education. When they themselves become parents, they know nothing of the duties of parents, except as they have been meagerly taught them in a school of parental neglect.

One of the most direful effects of taking from the parents and transferring to the general public the power to control the child's education, is the weakening, not to say the entire destruction, of that filial love, respect, honor, and obedience which the child owes to its father and mother, and along with that, the sapping of the very foundations of the family government; and, finally, the ruin of society itself.

The reason of this is obvious. Unless the parent abandons all



idea of his individual manhood; unless he resolves, right or wrong, to think just as those people happen to think who appoint the schoolmaster and select the school books; unless he is willing to make himself a perfect nobody, and like an unfledged bird, with open mouth and closed eyes, accept and gulp down any and every ridiculous falsehood or base perversion of truth which finds expression in the school-room; there must of necessity arise contradictions and conflicts between home teaching and public school teaching. At home parents very naturally, both by word and example, endeavor to impart to their children their own ideas upon the important subjects of politics, of religion, of history, and the like, while the business of the public schoolmaster is to teach those same children to believe that their home-training on these same subjects is false, whenever that home-training does not accord with the views and sentiments of the particular party, faction or clique to which the teacher owes his appointment. Perhaps, though, it may be thought there is no partisanism in our public school books, that they are simply and purely books of science—nothing more, nothing less. Why, do you not know that partisanism has poisoned and is daily poisoning more and more the very fountain head of your entire educational system? Why, even *Webster's Dictionary*, the standard for orthography and definitions in all of our public schools, a book once accepted by all parties as generally fair and authentic in its definitions of political terms, has, in its latest editions, been so perverted, sometimes by suppressing the old definitions, and sometimes by interpolating new ones, that no American citizen not thoroughly indoctrinated in the principles of a consolidated government, and who is not prepared to abandon the idea of a Federal Union of Sovereign States, such as our fathers made, could ever think of accepting this modernized and falsified Webster as authority in defining political terms.

A few examples will suffice for illustration. We will begin with the word constitution. The original Webster's Dictionary, as it existed up to the time of the late civil war, in defining the word constitution, said: "In free States the constitution is paramount to the statutes or laws enacted by the Legislature, limiting and controlling its power; and in the United States the Legislature is created, and its powers designated by the Constitution."

But as if afraid that this definition might reflect harshly upon some of our demagogues and unprincipled Congressional politicians



who have never allowed the Federal Constitution to stand in the way of their gigantic schemes of fraud and plunder, Dr. Porter, in his revised edition of Webster, suppresses every word of the above definition, and in its stead defines the word Constitution among other things to mean, "The principle or fundamental laws which govern a State or other organized body of men, and are embodied in written documents, or *implied in the institutions or usages* of the country or society." So that if the father teaches the boy at home, as Webster's Dictionary once taught, that in free States the Constitution is paramount to the statutes or laws enacted by the Legislature, and that in the United States the Legislature is created and its powers designated by the Constitution," it then becomes the duty of the public school teacher to tell the lad, the next day, that his father does not know what he is talking about, and to call his attention to the latest edition of Webster, from which the old gentleman's antiquated definition of the word "Constitution" has been totally expunged, and from which it appears that in these modern times mere *usages* take the force of Constitutional law. Should the father tell his son at home that the word "Union," in its true political sense, as applied to these United States, means a union of distinct sovereign States, but not a consolidated government, it would again become the duty of the teacher to open Dr. Porter's latest edition of Webster and show him that the word "*Union*" means a consolidated body, as the United States of America are often called the Union."

Again, let the father at home teach his son—just as he learned it from Webster long years ago—that the word "Federal" means "consisting in a compact between parties, particularly and chiefly between States and nations formed on alliance by contract or mutual agreement, as a Federal Government, such as that of the United States," and forthwith the public school teacher, armed with a modern forged and mutilated Webster, will tell him that there is no such definition as that, of the word "*Federal*" to be found in the book, but that the word "Federal," as *now* appears from Dr. Porter's latest revised unabridged Webster, means, "specifically composed of States which retain *only a subordinate and limited sovereignty*, as the Union of the United States and the Sonderbund of Switzerland." Again, the boy asks his father, a sturdy old Democrat of forty years standing, What is the meaning of the word "Whig?" Whereupon the father promptly re-

plies that Whig is the name of a once formidable rival of the Democratic Party, which ceased its career in 1853. But the teacher turns to his modernized Webster and reads that a Whig means one of a political party in the United States from about 1829 to 1853, opposed in politics to the *so-called Democrats*. Thus giving the boy to understand that his father's claim to Democracy is a mere sham; that in calling himself a Democrat, he is simply stealing a name to which he has no title. These are just a few specimens of words in the latest editions of Webster, with either changed or suppressed definitions, taken from a long list of words similarly dealt with, which appeared some time ago in the New York *Freeman's Journal*. A comparison of the old with the latest editions of Webster, will show that these late editions have not been misrepresented.

It is thus that those who wield the immense engine of our public school system are permitted, by means of the books they use, to poison at the very fountain-head the English language itself, the very channel through which our children are destined to receive not only their ideas of government, but every other species of knowledge.

I might thus run through the whole vocabulary of political terms, as they are defined in the latest edition of Webster's Dictionary, "so-called," and show you that the book is most intensely partisan. It is a base libel on its original illustrious author, and directly at war with all the ideas of our Government entertained by its wise and patriotic founders.

It is thus that thousands of parents, without even suspecting the fact, are paying their school taxes for the purpose of teaching their children to despise their own most cherished political principles.

But our public school histories are sometimes no better than our dictionaries. In proof of this, allow me to quote for you a few short passages from an edition of Lossing's Primary United States History, a book extensively used in the public schools of San Francisco for years after the close of the late war. It may be said that this edition of Lossing's History is not now in use in that city, and perhaps it is not, but who can say that the infernal poison of sectional hatred which it instilled into the children of that city is not still gnawing at the vitals of society. When this book was in use I well remember the denunciations which were heaped on your

humble servant, and how he was assailed as an enemy to education, because of his daring to expose the villainous lies therein recorded. But listen to our historian. In pretending to narrate as an historical truth, the cause of the late civil war, Lossing, on page 222 says: "Men in the slave States determined to bring negroes from Africa again, and to fill some of the new Territories with them. The people of the free States declared that they should do no such thing."

And here follows some wholesome historical knowledge for the benefit of our anti-Mongolian friends of the Workingmen's Party. The author goes on to say: "Bitter quarrels were kept up. They were stopped for a little while, when great men from Japan, and a lad (the Prince of Wales) came here in 1860 to visit our President. As soon as they were gone the old quarrel was resumed." You will understand me, that this is history that I am quoting. Genuine non-sectarian common school history. They were these great men from Japan—these Mongolian half-brothers of our much abused John Chinaman, whose august presence hushed to silence the ominous mutterings of war, and preserved the peace of the country. "But as soon as they were gone," says our public school historian, "the old quarrel was resumed." Again, on page 237, this intelligent historian, alluding to the assassination of President Lincoln, says: "While all the loyal people were rejoicing, because the war had so ended, President Lincoln, one of the best men that ever lived, was cruelly murdered in Washington, by a young man hired by the Confederates to do the wicked deed."

And this is the kind of stuff they were teaching in the public schools of San Francisco at the very time when your State Superintendent of Public Instruction boastfully declared, as we have seen, that *now* "we have a course of study established by law, by means of which teachers are enabled to pursue an *intelligent* system of instruction in spite of the prejudices of parents who are too ignorant to comprehend the purpose of a school."

Should the father of a public school pupil tell his child, while studying these books, that the history he is using is a tissue of ridiculous falsehoods, that the alleged cause of the late war is a simple fabrication; that the presence or the absence of these *great* men from Japan had nothing whatever to do with the fostering or retarding our terrible civil strife, and that the pretended historical fact about the Confederates having hired Booth to assassinate



Lincoln is a base libel on a brave and heroic people; and should he tell him that the dictionary from which he is studying the English language is poisoned with false and partisan definitions of the very words in which are couched both the history and Constitution of our country, what, I ask, would be the effect produced on the mind and heart of the child by means of this conflict between his home-training and his public school training? Would he probably take sides with the author, or with his own father? On the one hand, the book says it is thus and so, and so says the teacher, so says the whole school, and so says the whole State, because this book is taught by State authority; while on the other hand, it is only his poor, ignorant old foggy of a father who denies what is in the book; and what does *he* know about modern history, or the latest edition of Webster's unabridged?

After all, he would conclude, "I do not think the old man honestly believes what he himself says; for if so, why does he send me right back to the same school to study again the same books which he tells me are filled with falsehoods?" Thus the boy reasons himself into the belief that his own father is either a knave or a fool, and perhaps a compound of both.

But suppose that instead of a question of politics or of history, we take a religious question as the point of difference. Suppose that the father and mother, being of a religious turn of mind, hold to the doctrine that in the earliest training of their child the religious principle, just as they themselves understood religion, should be kept constantly before the infant mind and be directly and intimately associated with every step it takes in its educational course. Suppose that these parents religiously and conscientiously believe that the temporal and eternal happiness, both of themselves and their children, depends, in a great measure, upon the teaching of religion and science together at the same time, in the same connection, and in a manner showing the relations between natural science and revealed religion; and suppose that they repeatedly proclaim these their honest convictions, sitting at the fireside amidst the family circle; and then, suppose that at school all these parental ideas are ignored, contemned and set at naught, in obedience to the behests of our great non-religious sect, and the child is taught that these parental ideas are silly, antiquated notions, unworthy of a free, intelligent and enlightened mind, and that they must either be abandoned or else made to work for those

who hold them a forfeiture of all interest in the public school funds. Now, who does not know that this conflict between parental and public school training must of necessity produce in the mind of the child a contempt either for his parents or his public school teachers? And in nine cases out of ten it is the parent that loses and the public school teacher that gains the confidence and esteem of the child.

And no sooner does the child cease to love and respect its parents than it ceases also to obey their commands. Thence come the destruction of parental authority, the utter wreck and ruin of the family government, and in lieu thereof arise domestic feuds, animosities, bickerings and strifes, until finding neither peace nor pleasure at home, the chances are that children thus educated will betake themselves to drinking saloons, gambling hells, or other haunts of vice. Hence come idleness, drunkenness, gambling, debauchery, lying, cheating, fraud, embezzlement, forgery, burglary, robbery, murder, and all the endless catalogue of crimes against the laws of both God and man, thus demonstrating the truth proclaimed by Dr. Wayland, where he says "the relaxation of parental authority has always been found one of the surest indications of the decline of social order, and the unfailing precursor of public turbulence and anarchy."

It too often happens, with young ladies, too, educated in these institutions, that they learn at school to despise the very name of mother. Not, perhaps, by direct teaching in words, but by indirect teaching, and by a conflict of ideas and principles, and an incessant conflict of jurisdiction. So that finally, when entering upon their matrimonial career, when they come to consider the hardships, sickness and sacrifices incident to bearing and rearing children, and when they further contemplate the cold-hearted ingratitude with which these sacrifices are likely to be requited, they shrink from the thought of becoming mothers. Hence it is that so many modern devices are resorted to by married women to prevent the birth of children. So very common has this diabolical device become in some of those localities where this public school system has longest held sway, that the original object of marriage seems to have been almost lost sight of, and men and women marry, not for the purpose of raising up children, but solely for the purposes of speculation, or the gratification of the animal appetites. The marriage relation has thus finally come to

be regarded as no more than a mere co-partnership, to be dissolved at the pleasure of either party, just so soon as he or she can find another partner with more cash, or one supposed to possess more congenial affinities. Hence, I charge upon your anti-parental and godless school system the *alarming increase of divorce suits* that crowd our Court calendars. I charge upon that system the turning adrift upon society, to become hoodlums, paupers and felons, thousands of helpless waifs, the fruits of these unfortunate concubinages, unworthy to be dignified with the sacred name of marriages. I charge upon that system the breaking asunder of the sacred ties of love and affection between parents and children, the tearing down of family government, the crowding of our jails and penitentiaries with beardless boys, the turning loose upon society of an army of official and non-official embezzlers and thieves, who have astounded the world by the number and enormity of their gigantic robberies, perpetrated with impunity upon the property, the rights and the liberties of our people. I charge upon that system the scattering broadcast of the seeds of anarchy, discord and Communism throughout the length and breadth of the land. And finally, I charge that this system has been the means of unfitting American youths for the industrial pursuits, prepared the way and opened wide the door to flood this country with the degraded hordes of Asia.

To our non-partisan friends who profess such a holy horror of Communism, I would say, is not our whole public school system one vast *Communitistic machine*? If a majority of voters have a right to take the money of a protesting minority, and use it to educate the children of parents who are abundantly able to educate them themselves, can you tell me why that same majority may not, with just as much right and propriety, take from the minority still more money with which to buy victuals and clothes, to purchase lands, and to build and furnish houses for both parents and children? Will you tell me it is the *duty* of grown-up people to feed and clothe and house themselves and their children, and that therefore it would be wrong to tax the community for that purpose? Then I answer, it is no more the duty of grown-up people to feed and clothe, and house themselves and their children, than it is to give to their children a proper education. And who, I ask, while calling himself a friend of education, will dare deny this proposition? If your neighbors have a right by a majority



vote to take your money against your will to pay for teaching your neighbor's daughter to play on the piano while she is only a little girl, will you tell me why they may not, with at least an equal right, when she grows to womanhood, take still more of your money with which to purchase a piano for her to play upon? Where is the use of her knowing how to play on the piano if she have no piano to play upon? In fact, I maintain that the second investment would be more necessary than the first; upon the same principle that the man who has never accustomed himself to the use of tobacco can easily dispense with that luxury, but the habit of chewing having been once formed, it is next to impossible to restrain it.

Who can deny that the constant tendency of our present communistic system of public schools is to engender and stimulate in the minds and hearts of the great mass of our country's youth appetites, tastes, habits and aspirations, which, without a still further application of the doctrine of Communism, they have not the means to gratify. And who can wonder, if *Communism* be made to supply the wants which *Communism* has itself engendered? If you feed a boy upon appetizers until his hunger grows ravenous beyond endurance, and then deny him anything to eat, what wonder if he takes your victuals without your leave?

Besides being a species of pure and unadulterated communism practically enforced by legislative enactment, this public school system has moreover, as already intimated, become the great ally of the Mongolian hordes who are overrunning our young State. And now for the proof. We have already seen how in Massachusetts, under the influence of this system, the natural increase of the native population has dwindled down to about one-third what it formerly was; and like causes are producing like results in California. Then again, out of all those children who are permitted by their parents to be born into the world, if you take those raised in our towns and cities, it is safe to say that of all the boys and girls being educated in our public schools, not one in ten expects, after leaving school, to earn his or her living by ordinary manual labor. And who can wonder at this, while out of its communistic school fund the State is educating every child to become, at its option, either a politician, a lawyer, a doctor, a merchant, or at least a public school teacher? Who is going to be willing to do the hard and dirty work of life, laboring ten hours

a day for thirty, forty, or sixty dollars a month, when he may just as well be at least a school teacher, and for just half the time at lighter work get from three to six times as much pay?

Perhaps you will say, they cannot all find employment at these easy and lucrative occupations, and some of them will have to go to work. But experience shows that as a rule your city-raised public school children will not go to work. They neither desire to work, nor do they know how to work. Having been educated at the expense of the State by teachers employed and paid by the State—in school houses built by the State—should they afterwards go to work, it is very much to be feared that it will be in mansions belonging to the State, under other bosses appointed by the State, and when wearing a felon's uniform furnished at the expense of the State.

Then, who is so blind as not to see that as long as this anti-parental sect controls the education of our youth, we can have no sufficient supply of home-made laborers? On account of the unwelcome presence of the Chinamen already here, foreign immigration to the States of the Pacific has almost entirely ceased, and many of our laborers, both Americans and Europeans, are for the same cause beginning to seek for homes elsewhere. So, if you are, by constitutional enactment, going to perpetuate this monstrous system of mis-education, which destroys before birth two-thirds of our children, and ruins after birth the larger part of the remainder, who, let me ask, is going to do the work? Who will mold the brick, carry the hod, build the houses, shovel the sand, grade your railroads, dig your sewers? Who will till your gardens, your vineyards, and your farms? Who will drive your teams, wash your clothes, and cook your victuals? All this, and manual labor of a thousand other kinds, has to be done, and who—I repeat—is going to do it?

The answer is easy: over-crowded Asia stands by with four hundred and twenty-five millions of her sooty sons, ready and anxious to fill the places, which of right belongs to your murdered children. Yes, I repeat it, your *murdered* children! Children murdered in their very conception; children murdered in their mother's womb, and children worse than murdered in their education. With all my opposition, however, to the present public school system, I would not leave a single child in all this broad land deprived of the means of an education, and an education suited

as nearly as possible to its destined situation and calling in life. And I would, if necessary, make it by the State law, just as it is by the natural law, the duty of parents having the ability so to do, to educate their own children. And in case the parent were too poor to pay for their education, I would require him to select for himself, either a religious school or a non-religious school; either a school with the Bible, or a school without the Bible, just as he might think best; and I would let the State pay the school or the teacher thus selected, for giving such children a good ordinary English education. Aye, more, I would by Constitutional provision prohibit the State Legislature from compelling the parent of any child against his own judgment and conscience to send such child to a religious school on the one hand, or to a non-religious school on the other, as a condition upon which the child should receive State aid. But if this is not to be the rule; if parents *as* parents have no rights in so sacred a matter as the education of their own children which a majority of voters are bound to respect, then suppose public sentiment should one of these days take a change, and a majority of the people should come to believe that religious public schools are better than non-religious ones, would not a majority of voters so believing have just exactly the same right to force the children of non-religious parents into religious schools, and compel them to study the religion of the majority against the judgments and consciences of their non-religious parents, that non-religionists now have to force upon them just exactly the same kind of wrong? And if not, then why not?

Then who, let me ask, is the *bigoted sectarian* of whom we have heard so many and such bitter complaints? Is it your humble servant, who is in favor of protecting every parent in the land, whether Catholic, Protestant, Jew, or infidel, in his natural, inalienable right to direct and control the education of his own child, just exactly as he pleases, at his own expense if he is able, and at the expense of the public, if he is not able? Or is it the man who would force every child in the State, *nolens volens*, to be educated according to his own standard, without regard to the judgment and conscience of its own father and mother? Who, I repeat, is the hide-bound and narrow-minded bigot whose doctrines are dangerous to the liberties of the people? Is it the man who is in favor of granting to every other man, irrespective of creed or party, the same freedom of thought and of action which he claims



for himself, or is it the man who would force his neighbors to either think and act as he thinks and acts, or else make them suffer for their refusal to do so, by compelling them to pay twice for educating their children, if able, or by leaving those children to grow up in ignorance, if unable? I pause for a reply.

If this infamous doctrine—that in the matter of education the State is everything and the parent nothing—is to be permanently fastened on the country, it would not be surprising if the time should yet come when the humble individual now before you should feel it his bounden duty to assist in protecting, against the assaults of this hideous monster of intolerance, some of its own progenitors. Much stranger things have happened in the vicissitudes of the world's history.

In one of the sections of a proposed Constitution framed by one of the delegates to our Constitutional Convention, it is proposed, in effect, to deny all State aid for the education of any child attending a religious school. While in another section it is proposed to teach to all the pupils of our public schools the State Constitution embracing this clause, discriminating so invidiously in favor of non-religious as against religious education, and along with that, George Washington's Farewell Address.

Now suppose you require both of these documents to be taught in the public schools; and suppose a boy of ordinary intelligence first reads that portion of Washington's Farewell Address wherein the Father of his Country declares that "*of all the dispositions and habits that lead to political prosperity, religion and morality are indispensable supports,*" and the man would "in vain claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens." And then suppose the same boy next turns to an article in your State Constitution reading something like this: "And be it ordained, that the California State Government shall never, either directly or indirectly, aid by its money or credit to the extent of one farthing, in the education of any child or children, either rich or poor, in any school wherein any religion whatever is taught.

"And be it further ordained that the State shall gather school taxes from all its citizens, religionists and non-religionists—from those who believe in none but religious schools, and those who believe in none but non-religious schools for their children, and with

the taxes thus gathered, the State shall establish non-religious schools exclusively, from which all religious teaching shall be rigidly excluded, and all parents shall either educate their children in these non-religious schools, or else forfeit all moneys paid by them into the school fund.

“And be it further ordained that in cases where parents are too poor to educate their children at their own expense, and cannot, without a violation of conscience, send them to such non-religious schools as the State furnishes, such parents shall be required by the law to either stifle their consciences, or else let their children grow up in ignorance.”

After reading both this State Constitution and Washington's Farewell Address, what would a school boy think of either the consistency or the patriotism of our conventional solons, who after having by the endorsement of Washington's Farewell Address, proclaimed religion to be the great pillar of human happiness, had then deliberately gone to work and knocked down that pillar? If, then, our Constitutional Convention is resolved to make a Constitution proscribing all religious education, and if it is going to require all public school children to study that Constitution, then, in the name of consistency, it is to be hoped that it will not require those same children to study Washington's Farewell Address, a document which stands as one of the most withering rebukes ever administered to this very spirit of religious proscription.

I believe that no man, either dead or alive, either in this State or out of it, is or ever has been more uncompromisingly opposed to the black and blighting curse of the Chinese invasion, which, for the last quarter of a century and more, has desolated, impoverished and ruined our young State; that no man, living or dead, has labored harder, travelled further, said or written more to check the onward progress of this gigantic evil, than has, in his humble way, the individual who now addresses you. And yet, with a full knowledge of the direful fruits of this monstrous curse, should this Convention send forth to the country a Constitution in every other respect just such as is most desired touching this Chinese question, and at the same time a Constitution striking down the sacred, eternal, inalienable and God-given right of parents to direct and control the education of their own children according to the dictates of their own consciences, whether such education be with or without State aid, I, for one, should feel it a duty to myself, a

duty to my children, a duty to my country, and a duty to my God, to battle against such a Constitution as I would battle against an invading army, threatening by fire and sword the extermination of our people.

#### NOTE OF EXPLANATION.

As explanatory of the Senate Chamber business referred to in the foregoing speech, it may be proper to state the following facts: On the afternoon of Monday, November 18th, Hon. Daniel Inman, of Alameda County, introduced a resolution in the Convention, tendering to the undersigned the use of the Assembly Chamber (the one used by the Constitutional Convention) in which to deliver an address on the school question. The resolution was adopted by quite a handsome majority, whereupon a member who had voted with the minority invoked one of the rules of the Convention, requiring a unanimous vote of all the delegates present to allow the Chamber to be used for any purpose except the business of the Convention. The Chair ruled the point well taken, and no doubt ruled properly. On Tuesday morning Hon. N. G. Wyatt and myself called upon the Secretary of State, who, it was understood, had the general management and control of the Senate Chamber, with the view of securing its use for the purpose above indicated. The Secretary very courteously and unqualifiedly acceded to the request, suggesting at the same time that we see the Sergeant-at-Arms and have him put the hall in proper order to receive an audience. This was done, and the Sergeant-at-Arms promised to have everything in good shape at the appointed time. Notice was duly given of the proposed address in both the Sacramento dailies, and up to about the middle of the afternoon of Wednesday there was no apparent reason to the outside looker-on why the Secretary of State might not keep his promise. But about four o'clock P. M., I met the Secretary of State in the main hall of the Capitol, in conversation with one of the San Francisco Delegates, when, turning to me, he began to apologize for his inability to let me have the Senate Hall, as he had promised; and said that the San Francisco Delegation were going to hold a meeting there at seven o'clock; that the entire Capitol building was under the control of the Convention, and that he could not afford to put himself in antagonism with the Convention. The San Francisco Delegate referred to here remarked that the meeting to be held that night by the San Francisco Delegates was simply a Workingmen's club meeting, that they did not claim their right to the Senate Hall from the Convention, but were only there by the courtesy of the Secretary of State. He knew that this was one of their regular days of meeting, but under the circumstances he thought my claims to the hall should take precedence of theirs. Shortly after this a number of the San Francisco Delegates, together with the Secretary of State



and myself, were in the rooms of the Sergeant-at-Arms discussing the Secretary's embarrassing predicament, when one of the San Francisco Delegates started for the Convention Hall, remarking that he would see some one (whose name I did not understand) and see if this matter could not be adjusted in some way. Just as this gentleman started out, the Secretary called out to him and said, "And see Casserly, too." This was altogether a new character introduced into the play, but one which I thought gave the key to the entire plot. It was the first time that I had ever dreamed that Mr. Casserly was running the Workingmen's Party. Soon after it was authoritatively announced to me that the Workingmen had withdrawn all claim to the Senate Chamber, and that the coast was now clear. But it was not stated whether Mr. Casserly had been consulted or not. In the meantime, the Secretary of State had endeavored to avoid all responsibility in the premises by saying and repeating that the Senate Chamber was under the control of the Convention, and the key was in the hands of the Sergeant-at-Arms. But the Sergeant-at-Arms assured me most positively—and I am fully persuaded that he spoke the truth—that he had not the key, and had never had it, but that it was either in the hands of the Secretary of State, or his man, the Janitor.

Nor did the Secretary attempt to deny that the Janitor had the key, after being told what the Sergeant-at-Arms had said. The Sergeant-at-Arms, however, said he thought he could get the key from the man in possession of it, and he would have the hall all lighted and ready by seven o'clock. With this assurance I left the Capitol about half-past five P. M., to get ready for my speech. At seven I returned, found the Senate Chamber locked and no light in it, and the people already beginning to crowd the main hall of the building. The Sergeant-at-Arms said that on applying to the Janitor for the key, he remarked that somebody had stolen it! "But," said the Sergeant, "I have not the least doubt that he could get the key in five minutes' time if he wished to." In the meantime a large portion of the delegates had reached the hall, amongst whom were many of my personal friends and old acquaintances, some of them of more than a quarter of a century's standing. As might have been expected, no little indignation was manifested by the crowd because of this disreputable, not to say exceedingly contemptible, means thus resorted to for the purpose of keeping me out of the hall. A number of delegates then proceeded to the rooms of the Committee on Education and made known the situation, whereupon the Committee adjourned to the Assembly Chamber for the purpose of hearing what I had to say on the school question. The crowd followed the Committee, and I was accorded a most patient, courteous and attentive hearing. As far as I have been able to learn, the only opposition to my speaking came from some persons who professed to believe that my speech on the school

question would somehow or other injure the cause of the orphans. Indeed, the Secretary of State seemed to make no secret of so stating, both to the friends and foes of the anti-orphan clause which it is proposed to engraft on the Constitution. But how these Solons expected to aid the orphans by means of rendering themselves contemptible in the eyes of all respectable people, it is a little difficult for a plain man not used to politics to fully understand.

My own fears have been that the indignation of some of the members, caused by this outrage upon common decency, and this gross and most uncalled-for insult, offered to an old friend, might tend to confound in the minds of some of them the noble cause of the orphans with the miserable trickery which has been resorted to at least with the ostensible purpose of serving them. It should, however, be remembered that it would be exceedingly unjust to visit upon poor, helpless, and fatherless children the folly and wickedness of all those who claim to be their friends. And such is the view that I sincerely hope will be taken of the matter by every genuine friend of humanity.

Z. MONTGOMERY

THE friends of educational reform throughout the State of California are requested to exert themselves in obtaining signatures to the following petition, for which purpose copies of the petition will be sent gratis to any person desiring it, by addressing a request to that effect to

Z. MONTGOMERY, Oakland, Cal.

### PETITION

TO THE HONORABLE SENATE AND ASSEMBLY OF THE STATE OF CALIFORNIA.

We, the undersigned, citizens and voters of the State of California, without regard to political or religious differences, respectfully petition your honorable bodies to pass a law for the taking of the sense of the voters of this State, at the next general election, touching the propriety of so amending Article IX of our State Constitution, as to make it substantially conform to the following proposition; such vote when so taken to have no other legal effect than to indicate the deliberate judgment of the people, and thus serve as a guide for future action in the premises:—

#### PROPOSITIONS.

##### I.

Parents are bound, by the law of Nature, (each according to his ability) to properly feed, clothe, and educate their own children, and unwilling parents shall be compelled, by appropriate legislation, to discharge these duties.

## II.

It is a public duty to assist, at public expense, in furnishing the necessary means wherewith to properly feed, clothe, and educate children whose parents are unable to so feed, clothe, and educate them.

## III.

No citizen of this State shall ever be taxed for the feeding, clothing, or educating of children—not his own—whose parents are amply able to feed, clothe, and educate them.

## IV.

All such parents as are neither mentally nor morally unfit to have the custody of children are entitled, and in duty bound, to select for the education of their own children schools wherein they believe that neither the teachers, the associations, nor the kind of instruction given will seriously endanger either their health, their lives or their morals, but will best promote their temporal and eternal welfare.

## V.

Neither the State, nor any municipal or other government organized under its authority, shall ever force upon the child of any parent—not legally adjudged mentally or morally unfit to discharge the duties of the parental office—any particular teacher, book, or system of religious or non-religious instruction against the conscientious objections of such parent.

## VI.

Tuition, when at public expense, shall embrace a good common English and business education, added to such a thorough training in one or more of the mechanic arts, or the manufacturing, domestic or productive industries, as will best prepare youth for the practical business of self-support, but shall not extend to the merely ornamental or more abstruse arts or sciences, except in a limited class of cases (to be provided for by law) as a reward for exalted merit, when coupled with a high order of talent and a special aptitude for such arts or sciences.

## VII.

The whole business of educating and training the young shall, like other professions, be open to private enterprise and free competition ; *provided* that the State shall establish and maintain such necessary educational institutions as private enterprise shall fail to establish and maintain ; and every parent or guardian entitled to have his or her child or ward educated at the public expense, shall select for such purpose his own school, and the teacher or principal of such school shall be paid periodically for teaching such pupil a compensation, the maximum of which shall be fixed by law, which compensation shall be proportionate to the progress made by the pupil during such period of tuition in the legally ap-



pointed secular branches. Said progress to be ascertained by examiners duly elected or appointed in such manner as may be provided by law ; but no religious tuition which may be given in any such school shall be at public expense or subject to the supervision of said examiners.

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#### HOW INTELLIGENT CITIZENS OF ALL CLASSES REGARD THE ABOVE PROPOSITIONS.

The friends and opponents of the foregoing propositions held a meeting in the city of Oakland on the evening of Oct. 6, 1879, for the purpose of considering their merits. In referring to that meeting and its action touching said propositions, a leading Oakland daily, the *Evening Tribune* in its issue of Oct. 10 among other things says, "A large audience gathered last Monday evening, at the old Congregational Church building, to hear the Hon. Zach. Montgomery discuss the demerits of the Public School System of the United States. It was generally expected and hoped that the Rev. Horatio Stebbins, D. D., of San Francisco, would be present and take issue with the views advanced by Mr. Montgomery, but the reverend gentleman did not put in an appearance. Fred. M. Campbell, State Superintendent-elect, at the request of Mr. Montgomery, presided. . . . In support of the two principal opinions, namely, the pernicious influence of our present system of public instruction, and the right and duty of the parent to select and control the education of the child, as well as clothe and feed it, he advanced seven propositions, which, if carried out practically, he believed, would prove vastly superior to the present system. He was frequently plied with questions, put by persons in the audience, to which he responded with alacrity. A vote was taken on the several propositions advanced by Mr. Montgomery, to ascertain the sense of the audience in regard to the subject, and invariably the result showed that the speaker was sustained by a majority of his hearers."



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